

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (714) 557-3347

RECEIVED
CENTRAL MAIL CENTER

DEC 27 2004

FACSIMILE COVER SHEET

Deliver to: Nadeem Iqbal, USPTO Art Group: 2114
 Facsimile No.: 703-872-9306 Date: December 27, 2004
 From: William W. Schaal, Reg. No. 39,018
 Our Docket No.: 42390P11901 Number of pages 13 including this sheet.
 Application No.: 10/038,323 Filing Date: 1/2/2002
 Docket Due Date(s): 12/30/2004

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Response</u> (<u>9</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (in triplicate) (<u> </u> pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: <u> </u>	<input type="checkbox"/> Petition for: <u> </u>
(<u> </u> pgs) w/cover & abstract)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs)	<input type="checkbox"/> Reply Brief (<u> </u> pgs)
<input checked="" type="checkbox"/> Certificate of Facsimile <u> </u>	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Declaration & POA (<u> </u> pgs)	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures	<input type="checkbox"/> Response to Written Opinion (<u> </u> pgs)
<input type="checkbox"/> Extension of Time: <u> </u>	<input type="checkbox"/> Terminal Disclaimer
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs)	<input checked="" type="checkbox"/> Transmittal Letter
<input type="checkbox"/> Other <u> </u>	

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.


 Susan McFarlane

12/27/2004

Date

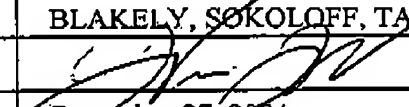
Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.


If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Susan McFarlane.

DEC 27 2004

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/038,323
		Filing Date	January 2, 2002
		First Named Inventor	Bryant E. Bigbee
		Art Unit	2114
		Examiner Name	Nadccm Iqbal
Total Number of Pages in This Submission	12	Attorney Docket Number	42390P11901

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	December 27, 2004

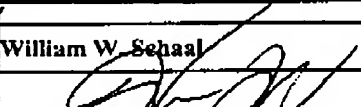
CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Susan McFarlane		
Signature		Date	December 27, 2004

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 08/04/2004
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		<i>Complete if Known</i>	
		Application Number	10/038,323
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	January 2, 2002
		First Named Inventor	Bryant E. Bigbee
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Examiner Name	Nadeem Iqbal
		Art Unit	2114
		Attorney Docket No.	42390PT1901

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>02-2666</u> Deposit Account Name: <u>Blakely, Sokoloff, Taylor & Zafman LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. <input type="checkbox"/> Credit any overpayments	

FEE CALCULATION																																																																																								
1. EXTRA CLAIM FEES																																																																																								
Total Claims	24	30*	0	\$0.00																																																																																				
Independent Claims	4	4*	0	\$0.00																																																																																				
Multiple Dependent																																																																																								
<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee Code</td> <td></td> </tr> <tr> <td>1202</td> <td>2202</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201</td> <td>2201</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203</td> <td>2203</td> <td>Multiple Dependent claim. If not paid</td> </tr> <tr> <td>1204</td> <td>2204</td> <td>**Release independent claims over original patent</td> </tr> <tr> <td>1205</td> <td>2205</td> <td>**Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>					Large Entity	Small Entity	Fee Description	Fee Code	Fee Code		1202	2202	Claims in excess of 20	1201	2201	Independent claims in excess of 3	1203	2203	Multiple Dependent claim. If not paid	1204	2204	**Release independent claims over original patent	1205	2205	**Reissue claims in excess of 20 and over original patent																																																															
Large Entity	Small Entity	Fee Description																																																																																						
Fee Code	Fee Code																																																																																							
1202	2202	Claims in excess of 20																																																																																						
1201	2201	Independent claims in excess of 3																																																																																						
1203	2203	Multiple Dependent claim. If not paid																																																																																						
1204	2204	**Release independent claims over original patent																																																																																						
1205	2205	**Reissue claims in excess of 20 and over original patent																																																																																						
SUBTOTAL (1)			(S)	0.00																																																																																				
2. ADDITIONAL FEES																																																																																								
<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee Code</td> <td></td> <td></td> </tr> <tr> <td>1051</td> <td>2051</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>2052</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>2053</td> <td>2053</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1251</td> <td>2251</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>2252</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>2253</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>2254</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2255</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>2401</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>2402</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>2403</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>2451</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1460</td> <td>2460</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>1807</td> <td>Processing fee under 37 CFR 1.17(n)</td> <td></td> </tr> <tr> <td>1808</td> <td>1808</td> <td>Submission of Information Disclosure Sheet</td> <td></td> </tr> <tr> <td>1809</td> <td>1809</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>2810</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td colspan="3">Other fee (specify)</td> <td></td> </tr> <tr> <td colspan="3">SUBTOTAL (2)</td> <td>(S)</td> </tr> </tbody> </table>					Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code			1051	2051	Surcharge - late filing fee or oath		1052	2052	Surcharge - late provisional filing fee or cover sheet		2053	2053	Non-English specification		1251	2251	Extension for reply within first month		1252	2252	Extension for reply within second month		1253	2253	Extension for reply within third month		1254	2254	Extension for reply within fourth month		1255	2255	Extension for reply within fifth month		1401	2401	Notice of Appeal		1402	2402	Filing a brief in support of an appeal		1403	2403	Request for oral hearing		1451	2451	Petition to institute a public use proceeding		1460	2460	Petitions to the Commissioner		1807	1807	Processing fee under 37 CFR 1.17(n)		1808	1808	Submission of Information Disclosure Sheet		1809	1809	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	2810	For each additional invention to be examined (37 CFR § 1.129(b))		Other fee (specify)				SUBTOTAL (2)			(S)
Large Entity	Small Entity	Fee Description	Fee Paid																																																																																					
Fee Code	Fee Code																																																																																							
1051	2051	Surcharge - late filing fee or oath																																																																																						
1052	2052	Surcharge - late provisional filing fee or cover sheet																																																																																						
2053	2053	Non-English specification																																																																																						
1251	2251	Extension for reply within first month																																																																																						
1252	2252	Extension for reply within second month																																																																																						
1253	2253	Extension for reply within third month																																																																																						
1254	2254	Extension for reply within fourth month																																																																																						
1255	2255	Extension for reply within fifth month																																																																																						
1401	2401	Notice of Appeal																																																																																						
1402	2402	Filing a brief in support of an appeal																																																																																						
1403	2403	Request for oral hearing																																																																																						
1451	2451	Petition to institute a public use proceeding																																																																																						
1460	2460	Petitions to the Commissioner																																																																																						
1807	1807	Processing fee under 37 CFR 1.17(n)																																																																																						
1808	1808	Submission of Information Disclosure Sheet																																																																																						
1809	1809	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																						
1810	2810	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																						
Other fee (specify)																																																																																								
SUBTOTAL (2)			(S)																																																																																					

SUBMITTED BY		<i>Complete (if applicable)</i>	
Name (Print/Type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018
Signature		Telephone	(714) 557-3800
		Date	12/27/04

Based on PTO/SB-17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/ 12/15/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		<i>Complete if Known</i>	
		Application Number	10/038,323
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	January 2, 2002
		First Named Inventor	Bryant E. Bigbee
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Examiner Name	Nadeem Iqbal
		Art Unit	2114
		Attorney Docket No.	42390P11901

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 ☐ Credit any overpayments

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
24	30*	0	\$0.00
4	4*	0	\$0.00

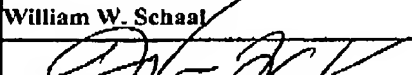
Multiple Dependent

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202		2202		Claims in excess of 20	
1201		2201		Independent claims in excess of 3	
1203		2203		Multiple Dependent claim, if not paid	
1204		2204		**Reissue independent claims over original patent	
1205		2205		**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (1)				(\$)	0.00

*for number previously paid, if greater. For Reissues, see below

2. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051		2051		Surcharge - late filing fee or oath	
1052		2052		Surcharge - late provisional filing fee or cover sheet	
2053		2053		Non-English specification	
1251		2251		Extension for reply within first month	
1252		2252		Extension for reply within second month	
1253		2253		Extension for reply within third month	
1254		2254		Extension for reply within fourth month	
1255		2255		Extension for reply within fifth month	
1401		2401		Notice of Appeal	
1402		2402		Filing a brief in support of an appeal	
1403		2403		Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1480		2480		Petitions to the Commissioner	
1807		1807		Processing fee under 37 CFR 1.17(a)	
1808		1808		Submission of Information Disclosure Stmt.	
1809		1809		Filing a submission after final rejection (37 CFR § 1.129(a))	
1810		2810		For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					
SUBTOTAL (2)				(\$)	

SUBMITTED BY		<i>Complete (if applicable)</i>	
Name (Print/Type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018
Signature		Telephone	(714) 557-3800
		Date	12/27/04

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 10/038,323
Amdt. Dated 12/27/2004
Reply to Office Action of September 30, 2004

RECEIVED
CENTRAL MAIL CENTER

DEC 27 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/038,323
Applicant : Bryant E. Bigbee
Filed : 01/02/2002
TC/A.U. : 2114
Examiner : Nadeem Iqbal

Confirmation No. 7314

Docket No. : 42P11901
Customer No. : 8791

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office action of September 30, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.